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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE
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10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 DANIEL NIX,

14 Defendant.
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Case No. CR17-105RSL

ORDER CONTINUING
TRIAL DATE AND
PRETRIAL MOTIONS
DEADLINE

16 This matter comes before the Court on defendant's "Motion for Enlargement of Time to
17 File Dispositive Motions, Motion to Reset Trial Date." Dkt. # 80. Trial is currently scheduled
18 for Monday, June 25, 2018. Having considered defendant's motion and the representations of
19 the parties before the Court, the Court finds as follows:

20 1. Defendant, who is proceeding *pro se*, is currently attempting to review a large
21 volume of discovery, which includes tax returns and years of financial data. Defendant has been
22 represented by numerous appointed attorneys, but has refused to work with any of them. After
23 continuous refusals to interact with his attorneys and other dilatory behavior, the Court found
24 that defendant waived the right to counsel through his conduct. Dkt. # 74. After appointing
25 standby counsel to advise defendant if needed, the Court determined defendant will proceed *pro*
26 *se. Id.* Although defendant has had months to review this case, he has only recently shown a
27 willingness to work with his appointed standby counsel and the government to access and
28 review discovery.

2. Defendant, who is not in custody, did not file a Speedy Trial waiver with his motion, but the Court notes that this continuance comes on defendant's own motion and over the government's objection.


3. Given defendant's *pro se* status, the Court finds that failure to grant a continuance would deny defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(iv).

4. A continuance would serve the ends of justice, as the need to ensure effective trial preparation outweighs the best interests of the public and the defendant in a more speedy trial, within the meaning of 18 U.S.C. § 3161(h)(7)(A).

IT IS THEREFORE ORDERED that the trial date be continued from June 25, 2018, to August 6, 2018. Pretrial motions shall be filed by June 29, 2018.

IT IS FURTHER ORDERED that the period of time from the current trial date of June 25, 2018, up to and including the new trial date of August 6, 2018, shall be excludable time pursuant to the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.* The period of delay attributable to the filing and granting of this motion is excluded for speedy trial purposes pursuant to 18 U.S.C. §§ 3161(h)(1)(D), (h)(7)(A), and (h)(7)(B).

DATED this 31st day of May, 2018.


Robert S. Lasnik
United States District Judge